

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

OGONTZ FIRE COMPANY, et al.

Plaintiffs,

v.

CHELTENHAM TOWNSHIP, et al.

Defendants.

CIVIL ACTION NO. 23-569

ORDER

AND NOW, this 11th day of March 2024, upon consideration of Defendants' Motion to Dismiss [Doc. No. 11] and the response and reply thereto, and for the reasons stated in the accompanying Memorandum Opinion, it is hereby **ORDERED** that Defendants' Motion is **GRANTED** in part and **DENIED** in part, as follows:

1. All claims by Plaintiff Arthur Gordon are **DISMISSED without prejudice**;
2. All claims against Defendants the Board of Commissioners of Cheltenham Township and the Cheltenham Township Fire Board are **DISMISSED without prejudice**;
3. Counts I, V–VI, VIII–IX (Equal Protection; First Amendment; § 1983 and § 1985 Conspiracy) are **DISMISSED without prejudice**;
4. Counts X and XII–XIII (Civil Conspiracy; Tortious Interference with Contract; Negligence) are **DISMISSED with prejudice**; and
5. Counts II–IV, VII, and XI (Substantive and Procedural Due Process; Takings Clause; Contract Clause; Breach of Contract) remain.
6. Plaintiff may file an amended complaint no later than **April 12, 2024**. If Plaintiff does not file an amended complaint, Defendant shall file an answer to the remaining claims no later than **May 3, 2024**.

Additionally, upon consideration of Defendants' Motion for Leave to Exceed Page Limit [Doc. No. 10] and Plaintiffs' Motion for Leave to Exceed Page Limit [Doc. No. 12], it is further **ORDERED** that both Motions are **GRANTED**. The documents in question [Doc. Nos. 11, 13] are accepted as filed.

It is so **ORDERED**.

BY THE COURT:

/s/ Cynthia M. Rufe

CYNTHIA M. RUFE, J.